

Amendment 76

Contract No. 229944

To the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System

This Amendment 76 to the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System is entered into this 21st day of July, 2010, by and between ERG Transit Systems (USA) Inc, a California corporation and wholly owned subsidiary of Vix-ERG Limited, an Australian corporation, (hereinafter referred to as the "Contractor") and each of the following seven public transportation agencies (hereinafter referred to individually as an "Agency" or collectively as the "Agencies"):

1. Central Puget Sound Regional Transit Authority ("Sound Transit")
2. King County ("King County")
3. Kitsap County Public Transportation Benefit Area ("Kitsap Transit")
4. Pierce County Public Transportation Benefit Area ("Pierce Transit")
5. Snohomish County Public Transportation Benefit Area ("Community Transit")
6. City of Everett ("Everett")
7. State of Washington, acting through the Washington State Department of Transportation, Washington State Ferries Division ("WSF")

Recitals

- A. Effective April 29, 2003, each of the Agencies and the Contractor entered into Contract #229944 ("Contract") to implement a Regional Fare Coordination System ("RFC System") to establish a common fare system utilizing smart card technology. The Contractor is responsible for the development, implementation, operation and maintenance of the RFC System as specified in the Contract.
- B. The Agencies and the Contractor desire to amend Section VI of Exhibit 9, Price Schedule Special Programs, to compensate ERG for the work necessary to produce the On Board Equipment installation guidelines (i.e. a Site Survey) and update associated system documentation for a new type of Gillig bus for Everett Transit (ET). This work is performed per CR-002217.
- C. The Parties agree that the Work necessary to complete the Site Survey for ET will be performed and compensated as described below.

Agreement

Section 1.0 Description of Work

1.1 The Contractor will perform the work necessary to:

- (a) Evaluate the new type of Gillig bus to produce OBE installation documentation and instructions.
- (b) Commission devices
- (c) Update all required system documentation. The Contractor has identified documentation to include: ERG Asset Management System; (SEA-02992) CDRL 24 Parts E & H Commissioning and Installation Test Results; and (SEA-05221) Everett Transit Installation Procedure – Gillig 2009 Low Floor Bus

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the sufficiency of which is hereby acknowledged, the Parties hereby agree to amend the Contract as follows:

Section 2.0 Compensation Changes

Section VI (Implementation) of Exhibit 9, Price Schedule, is hereby amended to read as follows:

VI. IMPLEMENTATION

SPECIAL PROGRAMS

LUMP SUM COST

Amendment No. 76

To perform the work necessary to produce a Site Survey for a new type of Gillig Bus and associated system documentation updates	
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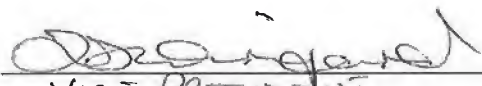
TOTAL	\$3748
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Section 3.0 Other Terms and Conditions

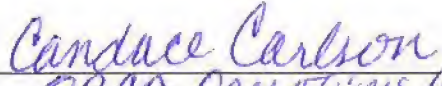
All other provisions of the Contract not referenced in this Amendment Seventy-six shall remain in effect.

IN WITNESS WHEREOF, authorized representative of the Agencies and the Contractor have signed their names in the spaces provided below.

ERG Transit Systems (USA) Inc.

By: 
Its: VICE PRESIDENT
Date: 16th JULY, 2010
IN PROTEST

The Agencies

By: 
Their: ORCA Operations Manager
On behalf of the Agencies
Date: July 21, 2010